

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) 2:10-CR-275-RLH-(GWF)  
 )  
BRADLEY TUBIN, )  
 )  
Defendant. )

**FINAL ORDER OF FORFEITURE**

This Court found that defendant BRADLEY TUBIN shall pay the criminal forfeiture money judgment of \$745,000 in United States Currency pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(p). Superseding Criminal Indictment, ECF No. 19; Change of Plea, ECF No. 70; Plea Agreement, ECF No. 71; Order of Forfeiture, ECF No. 73.

The United States District Court for the District of Nevada sentenced BRADLEY TUBIN and entered the sentencing Order of Forfeiture with a criminal forfeiture money judgment of \$745,000 in United States Currency pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(p). Sentencing Minutes, ECF No. 94; Sentencing Order of Forfeiture, ECF No. 93.

///

1 The United States District Court for the District of Nevada entered the Judgment in a Criminal  
2 Case on BRADLEY TUBIN with the Sentencing Order of Forfeiture (ECF No. 93) attached. Judgment  
3 in a Criminal Case, ECF No. 95.

4 **SUBSTITUTION - 2004 Ferrari 360 Spider**

5 The United States filed a Sealed Ex Parte Motion to File this Motion and the Sealed Ex Parte  
6 Motion to Substitute and to Forfeit Property of Bradley Tubin under Seal and Motion to Unseal and  
7 Order (ECF No. 98) along with the Sealed Ex Parte Motion to Substitute and to Forfeit Property of  
8 Bradley Tubin (ECF No. 99) to be used towards satisfaction of Bradley Tubin's criminal forfeiture  
9 money judgment. This Court entered the order granting the United States' motion to seal and unseal  
10 (ECF No. 100) and the Substitution and Forfeiture Order (ECF No. 101) authorizing the substitution and  
11 forfeiture of the following asset pursuant to Title 21, United States Code, Section 853(p): a 2004 Ferrari  
12 360 Spider, blue in color, Vehicle Identification Number ZFFYT53A240136276, Utah license plate  
13 MYBABLU (property).

14 The Federal Bureau of Investigation took the property into custody (ECF No. 102). After the  
15 property was taken into custody and the United States filed the Notice of Filing Service of Process (ECF  
16 No. 102) showing that the property was taken into custody, the sealed motions and the Substitution and  
17 Forfeiture Order were automatically unsealed per the Order granting the Motion to Seal and Unseal  
18 (ECF No. 100) so that the proper parties could be served.

19 On October 16, 2015, Bradley Tubin was personally served with the two motions, the  
20 Substitution and Forfeiture Order, and the Notice. Notice of Filing Service of Process, ECF No. 102.

21 On November 3, 2015, FDIC as Trustee for Washington Mutual, c/o The Corporation Trust  
22 Company of Nevada as Registered Agent, 701 S. Carson Street, Suite 200, Carson City, Nevada 89701  
23 was served by regular and certified return receipt requested mail tracking number 7015 1520 0001 4971  
24 5657 with the two motions, the Substitution and Forfeiture Order, and the Notice. Notice of Filing  
25 Service of Process, ECF No. 106.

26 ///

1 On November 3, 2015, FDIC as Trustee for Washington Mutual, FDIC Restitution Payments,  
2 P.O. Box 971774, Dallas, Texas 75397 was served by regular and certified return receipt requested mail  
3 tracking number 7015 1520 0001 4971 5633 with the two motions, the Substitution and Forfeiture  
4 Order, and the Notice. Notice of Filing Service of Process, ECF No. 106.

5 On November 3, 2015, Bank of America, NA, c/o Legal Processing Center, Registered Agent,  
6 P.O. Box 15074, Wilmington, Delaware 19850 was served by regular and certified return receipt  
7 requested mail tracking number 7015 1520 0001 4971 5640 with the two motions, the Substitution and  
8 Forfeiture Order, and the Notice. Notice of Filing Service of Process, ECF No. 106.

9 On November 3, 2015, Bank of America, NA, c/o Brian Moynihan, Chairman and CEO, 100 N.  
10 Tryon Street, Charlotte, NC 28255 was served by regular and certified return receipt requested mail  
11 tracking number 7015 1520 0001 4971 5619 with the two motions, the Substitution and Forfeiture  
12 Order, and the Notice. Notice of Filing Service of Process, ECF No. 106.

13 The United States filed and this Court granted its Motion for an Interlocutory Order of Sale of  
14 the 2004 Ferrari 360 Spider (ECF Nos. 103-105).

15 This Court finds the United States of America published the notice of forfeiture in accordance  
16 with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from  
17 November 21, 2015, through December 20, 2015, notifying all potential third parties of their right to  
18 petition the Court. Notice of Filing Proof of Publication, ECF No. 107.

19 This Court finds no petition was filed herein by or on behalf of any person or entity and the time  
20 for filing such petitions and claims has expired.

21 This Court finds no petitions are pending with regard to the assets named herein and the time for  
22 presenting such petitions has expired.

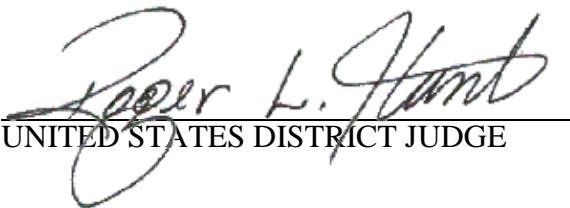
23 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title,  
24 and interest in the property hereinafter described is condemned, forfeited, and vested in the United  
25 States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title  
26 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title

1 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(n)(7) and  
2 (p) and shall be disposed of according to law: \$75,500 in United States Currency in lieu of the 2004  
3 Ferrari 360 Spider, blue in color, Vehicle Identification Number ZFFYT53A240136276, Utah license  
4 plate MYBABLU which the net proceeds after costs and expenses will be applied towards the criminal  
5 forfeiture money judgment of \$745,000 in United States Currency.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,  
7 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any  
8 income derived as a result of the United States of America's management of any property forfeited  
9 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this  
11 Order to all counsel of record and three certified copies to the United States Attorney's Office, Attention  
12 Daniel D. Hollingsworth, Asset Forfeiture Unit.

13 DATED this 25th day of January, 2016.

14  
15   
16 UNITED STATES DISTRICT JUDGE  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**PROOF OF SERVICE**

A copy of the foregoing was served upon counsel of record via Electronic Filing on January 22, 2016, and by the below identified method of service:

US MAIL:

Bradley Tubin  
6645 W. El Campo Grande  
Las Vegas, NV 89130

/s/ Michelle C. Lewis  
MICHELLE C. LEWIS  
Paralegal Specialist